

# Rule R940-1. Establishment of Toll Rates.

As in effect on \_\_\_\_\_.

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### [R940-1-1. Definitions.](#)

- (1) "Commission" means the Transportation Commission, which is created in Utah Code Ann. Section 72-1-301;
- (2) "Department" means the Utah Department of Transportation, which is created in Utah Code Ann. Section 72-1-101;
- (3) "HOT Lane" means a High Occupancy Vehicle Lane as designated pursuant to Utah Code Ann. Section 41-6a-702 and Utah Admin. Code R926-9.
- (4) "Toll" means the toll or user fees that the operator of a motor vehicle must pay for the privilege of driving on a tollway, including the toll or user fees that the operation of a single-occupant motor vehicle must pay for the privilege of driving on a HOT Lane.
- (5) "Tollway" has the meaning described in Utah Code Ann. Section 72-6-118.
- (6) "Tollway development agreement" has the meaning described in Utah Code Ann. Section 72-6-202.

### [R940-1-2. Setting Toll Rates.](#)

- (1) The Commission shall be responsible for setting toll rates on state highways as specified in this Section R940-1.
- (2) Toll rates for facilities included in a tollway development agreement shall be set in accordance with the terms and conditions of the tollway development agreement. Terms and conditions relating to toll rates are required to be presented to the Commission in connection with award of the tollway development agreement, and any modifications to such terms and conditions will be considered a substantial modification or amendment requiring Commission approval under Section R941-1-5.
- (3) The Commission may, in its sole discretion, increase the toll rates for a facility subject to a tollway development agreement above the amount allowed under the tollway development agreement.

### [R940-1-3. Base Toll Rate and Range for HOT Lanes.](#)

- (1) In deciding what toll is appropriate for HOT Lanes that are not subject to tollway development agreements, the Commission balances the need to obtain revenue against the effect that a certain toll amount will have on demand. The goal is to set a price that encourages optimal use of the HOT Lane.
- (2) For HOT Lanes that are not subject to a tollway development agreement, the initial toll for the HOT Lane is \$50 per month.
- (3) With the Commission's approval, the Department may increase the toll described in subsection (2) from \$50 per month if it finds that demand on the HOT Lane is too high and needs to be reduced in order to

keep the lane freely flowing. Evidence of demand can be shown by traffic counts and evidence of traffic congestion.

(4) Toll rates for HOT Lanes that are subject to a tollway development agreement shall be set in the tollway development agreement.

#### R940-1-4. Tollway Restricted Special Revenue Fund.

(1) Pursuant to state law, tolls collected by the department and certain funds received by the department through a tollway development agreement are deposited in the Tollway Restricted Special Revenue Fund established in Utah Code Ann. Section 72-2-120.

(2) Monies from the fund may be used to establish and operate tollways and related facilities, including design, construction, reconstruction, operation, maintenance, enforcement, impacts from tollways, and acquisition of right-of-way, pursuant to Utah Code Ann. Section 72-2-120.

#### KEY

transportation, tolls, HOT Lanes, motor vehicles, tollway development agreements

#### Date of Enactment or Last Substantive Amendment

[Insert Date]

#### Authorizing, Implemented, or Interpreted Law

72-2-120; 72-6-118